

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**DONNA CURLING, ET AL.,
Plaintiffs,**

v.

**BRAD RAFFENSPERGER, ET AL.,
Defendants.**

Civil Action No. 1:17-CV-2989-AT

**NOTICE REGARDING COALITION PLAINTIFFS'
ANTICIPATED DISCOVERY REQUESTS**

Pursuant to the Court's direction at the Status Hearing held on May 24, 2019, Coalition Plaintiffs hereby notify the Court regarding the scope of anticipated discovery they propose to take. Coalition joins with Curling Plaintiffs in anticipating the mutual need for all of the document categories and modes of discovery listed by Curling Plaintiffs. Coalition Plaintiffs incorporates those categories by reference. In addition to those documents and areas of inquiry listed by Curling Plaintiffs, Coalition Plaintiffs anticipate their need for the following:

Requests for Production of Documents

In *addition* to the list of Curling Plaintiff document requests, Coalition Plaintiffs anticipate serving document requests on State Defendants seeking documents related to:

- Studies, investigations, evaluations, or assessments regarding Georgia's election-related software;
- Security breaches or vulnerabilities related to Georgia's voting system software;
- Data contained in Georgia's voting system;
- Protections of voter privacy and ballot secrecy;
- Investigations of irregularities, anomalies, and errors reported in recent elections, including the undervote in the Lt. Governor's contest;
- Policies and procedures related to public observation of elections.

Plaintiffs anticipate serving document requests on Fulton County Defendants seeking documents related to:

- Security breaches or vulnerabilities related to Georgia's voting system software;
- Fulton County Board's discussions and deliberations regarding reported election irregularities and security vulnerabilities;
- Protections of voter privacy and ballot secrecy;
- Policies and procedures related to public observation of elections;

Depositions

Plaintiffs propose no more than ten depositions for each side, consistent with Fed. R. Civ. P. 30. Coalition Plaintiffs anticipate the following depositions:

Witness	Approx. Time Required	Topics
Secretary of State 30(b)(6)	1-2 days	Generally, topics listed for document production
Fulton County 30(b)(6)	1 day	Generally, topics listed for document production
Election services vendor(s) (30)(b)(6)	1 day	System security, known vulnerabilities, replacement systems

Non-Party County A & B (TBD based on discovery)	½ day each	System security, Reported election irregularities
State Election Board 30(b)(6)	½ day	Voting System Rules, post-election audits Voter complaints

Interrogatories

Coalition Plaintiffs adopt the language of Curling Plaintiffs.

Requests for Admission

Coalition Plaintiffs adopt the language of Curling Plaintiffs.

Third-Party Discovery

Plaintiffs anticipate serving subpoenas for documents and information, as well as potential deposition subpoenas, from the same third-parties listed in the Curling Plaintiffs brief, although Coalition Plaintiffs may choose to depose different non-party counties than those identified by Curling Plaintiffs. Coalition Plaintiffs have served document subpoenas on Morgan County and Rockdale County, and may serve several more such third-party document subpoenas on Georgia counties for election records related to relevant elections.

Expert Discovery

Plaintiffs anticipate conducting expert discovery on the following subject matters in addition to the expert discovery identified by Curling Plaintiffs:

Race discrimination and voter suppression; and

Ballot secrecy and voter privacy.

Coalition Plaintiffs reserve all rights to seek additional categories of discovery from Defendants and/or third parties as the litigation develops, particularly in conjunction with the State's plans to acquire new voting systems, consistent with Fed. R. Civ. P. 26.

Respectfully submitted this 29th day of May 2019.

/s/ Cary Ichter

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CERTIFICATE OF COMPLIANCE

I hereby certify that the foregoing document has been prepared in accordance with the font type and margin requirements of LR 5.1, using font type of Times New Roman and a point size of 14.

/s/ Cary Ichter

Cary Ichter

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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2019, a copy of the foregoing **NOTICE REGARDING COALITION PLAINTIFFS' ANTICIPATED DISCOVERY REQUESTS** was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to all attorneys of record.

/s/ Cary Ichter

Cary Ichter